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6 Attorneys for Plaintiff
UNITED STATES OF AMERICA
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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 DONTAE R. MALONE,
15 Defendant.
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Case No. 5:21-po-00554-SAB

MOTION FOR EARLY TERMINATION OF
PROBATION PURSUANT TO 18 U.S.C.
§ 3564(c); FED. R. CRIM. P. 32.1(c)(2)(B);
and ORDER

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18 The United States Attorney, by and through Phillip A. Talbert, United States Attorney, and
19 Jeffrey A. Spivak, Assistant United States Attorney hereby moves for an early termination of probation
20 pursuant to 18 U.S.C. § 3564(c); and Federal Rules of Criminal Procedure, Rule 32.1(c)(2)(B).

21 On March 4, 2022, the Court sentenced Defendant to serve 90 days unsupervised probation to
22 expire on June 4, 2022 (ECF No. 11). The conditions of Defendant's probation include payment of a
23 fine in the amount of \$200.00; payment of a special assessment in the amount of \$10.00; and payment of
24 a processing fee in the amount of \$30.00 for a total financial obligation of \$240.00 to be paid in full by
25 April 15, 2022. The Court set a Probation Review Hearing for May 3, 2022, at 10:00 a.m. before
26 Magistrate Judge Stanley A. Boone.

27 Defendant has paid the fine in full. (See ECF No. 16 ('FINAL PAYMENT RECEIVED')).
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1 The government respectfully request this Court to terminate probation pursuant to 18 U.S.C.
2 § 3564(c); and Federal Rules of Criminal Procedure, Rule 32.1(c)(2)(A) (no hearing required if “relief
3 sought is favorable to the person and does not extend the term of probation or of supervised release”).
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5 DATED: April 29, 2022

Respectfully submitted,

6 PHILLIP A. TALBERT
7 United States Attorney

8 By: /s/ Jeffrey A. Spivak
9 JEFFREY A. SPIVAK
Assistant United States Attorney

10 **ORDER**

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12 IT IS HEREBY ORDERED that Defendant’s probation be terminated and that the Probation
13 Review Hearing in this matter be vacated.

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15 IT IS SO ORDERED.

16 Dated: April 29, 2022

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UNITED STATES MAGISTRATE JUDGE